

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
MARCH 18, 2014**

ITEM 7

SUBJECT

PUBLIC HEARING ON THE DRAFT AMENDMENT INCORPORATING TOTAL MAXIMUM DAILY LOAD REQUIREMENTS INTO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT

DISCUSSION

Discharges of storm water and non-storm water occur throughout the state under the California Department of Transportation's (Caltrans) Municipal Separate Storm Sewer System (MS4) Permit. On September 19, 2012, the State Water Resources Control Board (State Water Board) issued a statewide permit ([Order 2012-0011-DWQ](#)) which regulates all storm water and certain non-storm water discharges from Caltrans' MS4, including all state highways, rights-of-way, and facilities. The permit, as adopted, allows the State Water Board to reopen the permit to incorporate Total Maximum Daily Load (TMDL) implementation requirements.

The proposed permit amendment includes implementation requirements for over 85 TMDLs statewide. The proposed amendment implements an approach that takes in account Caltrans' internal planning, design, and construction processes for on-the-ground implementation projects, while concurrently maximizing the Department's ability to participate in local agreements for larger watershed projects.

The public, Caltrans, the Regional Water Quality Control Boards (Regional Water Boards), and the United States Environmental Protection Agency have shown considerable interest in TMDL implementation within the statewide highway system. State Water Board staff worked closely with Regional Water Board and Caltrans representatives to address concerns regarding implementation requirements.

There will be no action on this item today. The public hearing is being held during the public comment period only to receive testimony on the proposed draft Amendment.

POLICY ISSUE

Should the State Water Board adopt the proposed amendment?

FISCAL IMPACT

State and Regional Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

REGIONAL BOARD IMPACT

The State and Regional Water Boards are expected to oversee Caltrans' compliance with the requirements of the amended permit.

STAFF RECOMMENDATION

Adopt proposed permit amendment.

State Water Board action on this item will assist the Water Boards in reaching Goals 1, 3, and 6 of the Strategic Plan Update: 2008-2012. In particular, approval of this item will assist in fulfilling the related Objectives and Actions pertaining to implementation of over 85 TMDLs statewide (Goal 1), reduction of pollutant loadings and beach postings (Goal 1), promotion of best management practices (Goal 3), maintenance of adequate stream flows (Goal 3), and establishment of statewide consistency improvements in storm water permits (Goal 6). Approval of this item is one of the State Water Board's priority actions. In addition, this action fulfills the legal requirement for regulation of storm water discharges from municipal separate storm sewer systems.